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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/630,242

Applicant(s)

DECINQUE, DONALD

Examiner

JASON K. LIN

Art Unit

2425

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is responsive to application No. 10/630,242 filed on 01/15/2009.

Claims 1-8 are pending and have been examined.

Response to Arguments

2. Applicant's arguments with respect to **claims 1-8** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 3, and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Scala (botmans.bk) in view of Ludvig et al. (US 2004/0073941).

Consider **claim 1**, Scala teaches a method for creating a video signal for broadcast over a cable channel (Chap 1 | P.8; Chap 20 | P.22, 60-61), the method comprising:

creating a series of content pages using a graphical user interface (Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273 teaches utilizing the GUI to define different types of content such as picture size, text, visuals, video, audio, etc for a content page; Chap 3 | P.67-68 and Chap 18

| P.7 teaches multiple created content pages that are run together by a script. *These pages were created with Scala as evidenced above in the following cited parts of each chapter*), and wherein the series of content pages comprises content to be played by a player at a cable headend (Chap 19 | P.60-61 teaches that the Players reside at a cable headend, where barker channels are used to display content. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.27 teaches the player will output video for a particular channel, that will be named Barker 47);

delivering the series of content pages via the network to the player at the cable headend (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.32 teaches different communication technologies such as direct connect via null modem, network LAN, etc supported between the master station and the player. Intro | P.1 teaches that the content can be delivered to any room city, or another country);

scheduling a broadcast of the series of content pages (Chap 18 teaches about scheduling the broadcast of content pages);

broadcasting the series of content pages as the video signal over the cable channel (Chap 19 | P.60-61).

playing at the player to the cable headend, the series of content pages (Chap 19 | P.60-61 teaches that the Players reside at a cable headend, where barker channels are used to display content. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.27 teaches the player will output video for a particular channel, that will be named Barker 47. *The production sequences controlled by the scripts are run {played} by the player and broadcasted by the headend to end user devices on a barker channel).*

Scala teaches at least one content page of the series of content pages (Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script), but does not explicitly teach wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page;

communication and transmission over the internet;

at the time of the scheduled broadcast of the series of content pages, automatically using the player to fetch updated content via the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel;

automatically updating the updatable content with the updated content;

playing at the player to the cable headend, including the updated content;
and

broadcasting the updated content as the video signal over the cable
channel.

In an analogous art Ludvig teaches, wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page (Paragraph 0059 teaches updating content {content pages} so that it reflects current content. *Since the content pages are updated, replacing previous ones, that means they can be updated after the time of creation since the original content page that was created is updated*);

at the time of the scheduled broadcast of the series of content pages, automatically using the player to fetch updated content via the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel (source download and transcoding server 216-Fig.2, external data source 106-Fig.1; Paragraph 0059 teaches download server 216-Fig.2 fetching updated content {content pages} from external data source {on-line content source});

automatically updating the updatable content with the updated content (Paragraph 0059);

playing at the player to the cable headend, including the updated content; and (Paragraph 0049, 0052, 0080 teaches the transcoding server 216-Fig.2,

transcodes the content into MPEG. For headend 102-Fig.1 Paragraph 0025, 0077 teaches the cable headend transmitting the transcoded content to the end users);

broadcasting the updated content as the video signal over the cable channel (Paragraph 0077, 0052 teaches content is encoded into MPEG2 video and is delivered as a standard MPEG2 transport stream).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Scala's system to include wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page; at the time of the scheduled broadcast of the series of content pages, automatically using the player to fetch updated content via the internet from an on-line content source unaffiliated with a party performing the delivering or the cable channel; automatically updating the updatable content with the updated content; playing at the player to the cable headend, including the updated content; and broadcasting the updated content as the video signal over the cable channel, as taught by Ludvig, for the advantage of providing to the user the most up to date content without having to overload source servers from unicast requests, allowing all users to receive desired updated content easily and efficiently.

Ludvig further teaches communication and transmission over the internet (Internet 104-Fig.1, Paragraph 0021, 0059 teaches communication between two devices via internet).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Ludvig to include, transmission over the internet, as further taught by Ludvig, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Consider **claim 7**, Scala teaches a system for creating a video signal for broadcast over a cable channel (Chap 1 | P.8; Chap 20 | P.22, 60-61), the system comprising: at least one graphical user interface (Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273), a network interface (Chap 19 | P.32), a scheduler (Chap 18), and a player (Chap 19 | P.60-61), wherein

the at least one graphical user interface for creating a series of content pages (Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273 teaches utilizing the GUI to define different types of content such as picture size, text, visuals, video, audio, etc for a content page; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script. *These pages were created with Scala as evidenced above in the following cited parts of each chapter*), and wherein the series of content pages comprises content to be played by a player at a cable headend (Chap 19 | P.60-61 teaches that the Players reside at a cable headend, where barker

channels are used to display content. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.27 teaches the player will output video for a particular channel, that will be named Barker 47);

the network interface is operable to deliver the series of content pages to the player at the cable headend (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.32 teaches different communication technologies such as direct connect via null modem, network LAN, etc supported between the master station and the player. Intro | P.1 teaches that the content can be delivered to any room city, or another country);

the scheduler is operable to schedule a broadcast of the series of content pages (Chap 18 teaches about scheduling the broadcast of content pages);

the player is operable to (iii) play to the cable headend, the series of content pages (Chap 19 | P.60-61 teaches that the Players reside at a cable headend, where barker channels are used to display content. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.27 teaches the player will output video for a particular channel, that will be named Barker 47. *The production sequences*

controlled by the scripts are run {played} by the player and broadcasted by the headend to end user devices on a barker channel).; and

the cable channel is operable to broadcast the series of content pages as the video signal (Chap 19 | P.60-61).

Scala teaches at least one content page of the series of content pages (Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script), but does not explicitly teach wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page;

an on line content source;

communication and transmission over the internet;

the on-line content source unaffiliated with the at least one graphical user interface or the cable channel;

the player is operable to (i) automatically fetch, at the time of the scheduled broadcast of the series of content pages, updated content over the internet from the on-line content source; (ii) update the updatable content with the updated content, and (iii) play to the cable headend, including the updated content; and

the cable channel for broadcasting the at least one updated content page as the video signal.

In an analogous art Ludvig teaches, wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page (Paragraph 0059 teaches updating content {content pages} so that it reflects current content. *Since the content pages are updated, replacing previous ones, that means they can be updated after the time of creation since the original content page that was created is updated*);

an on line content source; the on-line content source unaffiliated with the at least one graphical user interface or the cable channel (External data source 106-Fig.1, Cable headend 102-Fig.1);

the player is operable to (i) automatically fetch, at the time of the scheduled broadcast of the series of content pages, updated content over the internet from the on-line content source (source download and transcoding server 216-Fig.2, external data source 106-Fig.1; Paragraph 0059 teaches download server 216-Fig.2 fetching updated content {content pages} from external data source {on-line content source}); (ii) update the updatable content with the updated content (Paragraph 0059), and (iii) play to the cable headend, including the updated content (Paragraph 0049, 0052, 0080 teaches the transcoding server 216-Fig.2, transcodes the content into MPEG. For headend

102-Fig.1 Paragraph 0025, 0077 teaches the cable headend transmitting the transcoded content to the end users); and

the cable channel for broadcasting the updated content as the video signal (Paragraph 0077, 0052 teaches content is encoded into MPEG2 video and is delivered as a standard MPEG2 transport stream).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Scala's system to include wherein at least a portion of at least one content page comprises updatable content that is updatable at a time after creation of the at least one content page; an on line content source; the on-line content source unaffiliated with the at least one graphical user interface or the cable channel; the player is operable to (i) automatically fetch, at the time of the scheduled broadcast of the series of content pages, updated content over the internet from the on-line content source; (ii) update the updatable content with the updated content, and (iii) play to the cable headend, including the updated content; and the cable channel for broadcasting the at least one updated content page as the video signal, as taught by Ludvig, for the advantage of providing to the user the most up to date content without having to overload source servers from unicast requests, allowing all users to receive desired updated content easily and efficiently.

Ludvig further teaches communication and transmission over the internet (Internet 104-Fig.1, Paragraph 0021, 0059 teaches communication between two devices via internet).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Ludvig to include, transmission over the internet, as further taught by Ludvig, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Consider **claim 3**, Scala and Ludvig teaches wherein the on-line content source is comprised of at least one of a source for weather, news, traffic, financial, airport, health or entertainment information (Ludvig – Paragraph 0024 teaches the sources include weather, sports, news headlines, etc).

5. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Scala (botmans.bk), in view of Ludvig et al. (US 2004/0073941), and further in view of Brown et al. (US 7,167,875).

Consider **claim 2**, Scala and Ludvig do not explicitly teach wherein at least one content page in the series of content pages includes programming code directing the player to the on-line content source.

In an analogous art Brown teaches, wherein at least one content page in the series of content pages includes programming code directing the player to the on-line content source (Col 6: lines 17-24).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Ludvig to include wherein at least one content page in the series of content pages includes programming code directing

the player to the on-line content source, as taught by Brown, for the advantage of providing an identified destination of a specific source where particular information can be found, simplifying and making the information retrieval process quicker and efficient.

6. **Claims 4-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (US 6,792,615), in view of Scala (botmans.bk), in view of Ludvig et al. (US 2004/0073941), and further in view of Nurick (US 2002/0002580).

Consider **claim 4**, Rowe teaches a method for issuing an alert over a plurality of channels selected from the group consisting of cable channels (Col 7: lines 3-6; Col 40: lines 2-4), over the air broadcast stations, direct broadcast satellite channels, and public and private closed-circuit video networks, the method comprising the steps of:

a first user creating the alert at at least one first graphical user interface (Col 19: lines 45-56 and col 45: lines 44-46 teaches software and hardware design and development processes that can be used to produce graphical weather presentations such as alerts);

delivering the alert via the network to an on-line content source affiliated with the first user (RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices);

automatically forwarding to the plurality of players at the plurality channels (headends - Col 7: lines 3-6; Col 22: lines 12-14), the alert by fetching the alert from the on-line content source affiliated with the user (RCON 500 – Fig.1, 13c; Col 22: lines 12-14, 49-52); and

broadcasting the alert as a video signal over the plurality of channels (Col 40: lines 2-3; Col 39: lines 21-25).

Rowe does not explicitly teach communication and transmission over the internet;

a second user, unaffiliated with the first user, creating a series of content pages using at least one first graphical user interface, wherein at least one content page of the series of content pages comprises information for causing at least one of a plurality of players at the plurality of channels to query the on-line content source for the alert, and wherein the series of content pages comprises content to be played by the plurality of players to the plurality of channels for delivery to viewers;

delivering the series of content pages via the internet to the plurality of players;

scheduling broadcast of the series of content pages;

fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages;

playing at the plurality of players to the plurality of channel, the series of content pages, including the alert; and

broadcasting the series of content pages as a video signal over the plurality of channels.

In an analogous art, Scala teaches a second user, unaffiliated with the first user, creating a series of content pages using at least one first graphical user interface (Chap 1 | P.8; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages. *Second user is different and not affiliated with the first user since they are using different interfaces and creating/setting up different types of information*), and wherein the series of content pages comprises content to be played by the plurality of players to the plurality of channels for delivery to viewers (Chap 19 | P.60-61 teaches that the Players reside at a cable headend, where barker channels are used to display content. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.27 teaches the player will output video for a particular channel, that will be named Barker 47);

delivering the series of content pages via network to a plurality of players (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.60-61 teaches that the Players reside at a cable headend. Chap 20 | P.32 teaches different communication technologies such as direct connect via null modem, network LAN, etc supported between the master

station and the player. Intro | P.1 teaches that the content can be delivered to any room, city, or another country);

scheduling broadcast of the series of content pages (Chap 18 teaches about scheduling the broadcast of content pages);

playing at the plurality of players to the plurality of channel, the series of content pages (Chap 19 | P.60-61 teaches that the Players reside at a cable headend, where barker channels are used to display content. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.27 teaches the player will output video for a particular channel, that will be named Barker 47. *The production sequences controlled by the scripts are run {played} by the player and broadcasted by the headend to end user devices on barker channels*); and

broadcasting the series of content pages as a video signal over the plurality of channels (Chap 19 | P.60-61).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rowe's system to include a second user, unaffiliated with the first user, creating a series of content pages using at least one first graphical user interface, and wherein the series of content pages comprises content to be played by the plurality of players to the plurality of channels for delivery to viewers; delivering the series of content pages via network to a plurality of players; scheduling broadcast of the series of content pages; playing at the plurality of players to the plurality of channel, the series of content pages; and

broadcasting the series of content pages as a video signal over the plurality of channels, as taught by Scala, for the advantage of providing users with the ability to create productions with various effects that can flow like a professional video, whether they are a one person or large department (Scala - Chap 1 | P.8) and having the productions organized and scheduled to be played at the specified times providing the users with great control.

Rowe and Scala do not explicitly teach communication and transmission over the internet;

wherein at least one content page of the series of content pages comprises information for causing at least one of a plurality of players at the plurality of channels to query the on-line content source for the alert;

fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages;

playing at the player to the channel, including the alert.

Ludvig teaches fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages (source download and transcoding server 216-Fig.2, external data source 106-Fig.1; Paragraph 0059 teaches download server 216-Fig.2 fetching updated content {content pages} from external data source {on-line content source}; Paragraph 0049, 0052, 0080; Paragraph 0025, 0077).

playing at the player to the channel, including the alert (Paragraph 0049, 0052, 0080 teaches the transcoding server 216-Fig.2, transcodes the content

into MPEG. For headend 102-Fig.1 Paragraph 0025, 0077 teaches the cable headend transmitting the transcoded content to the end users. Paragraph 0024 teaches the content can be weather, sports, new headlines {alerts};

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe and Scala to include fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages; playing at the player to the channel, including the alert;, as taught by Ludvig, for the advantage of providing to the user the most up to date important information without having to overload source servers from unicast requests, allowing all users to receive important information easily and efficiently.

Ludvig further teaches communication and transmission over the internet (Internet 104-Fig.1, Paragraph 0021, 0059 teaches communication between two devices via internet).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Scala and Ludvig to include, transmission over the internet, as further taught by Ludvig, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Rowe, Scala, and Ludvig teaches at least one content page of the series of content pages (Scala - Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 |

P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script), and an on-line content source containing alert information (Rowe - RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices) at least one of a plurality of players at the plurality of channels (Rowe - headends - Col 7: lines 3-6; Fig.2, 13c; Col 22: lines 12-14; Ludvig – 216-Fig.2), but does not explicitly teach wherein at least one content page comprises information for causing to query the on-line content source.

In an analogous art Nurick teaches, at least one content page comprises information for causing at least one of players to query the on-line content source for data (server 20 – Fig.1; Paragraph 0032, 0034, 0038, 0040, 0044 teaches web pages {content pages} that run on the server side that contain hypertext links to the source, enabling the web page to update itself automatically).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, and Ludvig to include at least one content page comprises information for causing at least one of players to query the on-line content source for data, as taught by Nurick, for the advantage of providing an identified destination of a specific source where particular information can be found, simplifying and making the information retrieval process quicker and efficient.

Consider **claim 5**, Row ,Scala, Ludvig, and Nurick teach wherein at least one content page of the series of content pages includes programming code directing the at least one of the plurality of players to the on-line content source (Scala - Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script. Rowe - RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices. Nurick - server 20 – Fig.1; Paragraph 0032, 0034, 0038, 0040, 0044 teaches web pages {content pages} that run on the server side that contain hypertext links to the source, enabling the web page to update itself automatically).

Consider **claim 6**, Rowe, Scala, Ludvig, and Nurick teach wherein the alert is comprised of at least one of a FEMA alert, an Amber alert, a Red Cross request, a Homeland Security alert and a NOAA warning (Rowe - Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 30: lines 4-10 teaches NOAA warnings).

7. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (US 6,792,615), in view of Scala (botmans.bk), in view of Ludvig et al. (US 2004/0073941), in view of Nurick (US 2002/0002580), and further in view of Plotnick et al. (US 2002/0035731).

Consider **claim 8**, Rowe teaches a system for issuing an alert over a plurality of channels selected from the group consisting of cable channels (Col 7: lines 3-6; Col 40: lines 2-4), over the air broadcast stations, direct broadcast satellite channels, and public and private closed-circuit video networks, the system comprising: at least one first graphical user interface (Col 19: lines 45-56 and col 45: lines 44-46), a first network interface (RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46; Col 10: lines 61-67), a plurality of players (headends - Col 7: lines 3-6; Col 22: lines 12-14), wherein:

the at least one first graphical user interface that allows at least one first user to create the alert (Col 19: lines 45-56 and col 45: lines 44-46 teaches software and hardware design and development processes that can be used to produce graphical weather presentations such as alerts);

the first network interface is operable to deliver the alert via the network to an on-line content source affiliated with the at least one first user (RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices);

the plurality of players are operable to (i) automatically forward to the plurality channels (headends - Col 7: lines 3-6; Col 22: lines 12-14), the alert by fetching the alert from an on-line content source (RCON 500 – Fig.1, 13c; Col 22: lines 12-14, 49-52); and

the plurality of channels for broadcasting the alert as a video signal (Col 40: lines 2-3; Col 39: lines 21-25).

Rowe does not explicitly teach at least one second graphical user interface, a second network interface, a scheduler;

communication and transmission over the internet;

the at least one second graphical user interface is operable to create a series of content pages, wherein the at least second graphical user interface is associated with at least one second user, wherein the at least one first and at least one second users are unaffiliated, and wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for the alert, and wherein the series of content pages comprises content to be played by the plurality of players to the plurality of channels for delivery to viewers;

the second network interface for delivering the series of content pages over the network to a plurality of players at the plurality of channels;

the scheduler for scheduling the broadcast of the series of content pages;

(i) fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages,

fetched based upon the information for causing a query of the on-line content source, (ii) insert the alert into the series of content pages; and (iii) play, to the plurality of channels, the series of content pages, including the alert, and the plurality of channels are operable to broadcast the series of content pages as a video signal.

In an analogous art Scala teaches, at least one second graphical user interface (Chap 1 | P.8; Chap 3 | P.67-68 and Chap 18 | P.7), a second network interface (Chap 19 | P.22, Chap 19 | P.60-61, Chap 18 | P.7), a scheduler (Chap 18);

at least one second graphical user interface is operable to create a series of content pages, wherein the at least second graphical user interface is associated with at least one second user, wherein the at least one first and at least one second users are unaffiliated, and wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for the alert (Chap 1 | P.8; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages. *Second user is different and not affiliated with the first user since they are using different interfaces and creating/setting up different types of information*), and wherein the series of content pages comprises content to be played by the plurality of players to the plurality of channels for delivery to viewers (Chap 19 | P.60-61 teaches that the Players reside at a cable headend, where barker channels are used to display content. These productions are made up of multiple content pages that are

controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.27 teaches the player will output video for a particular channel, that will be named Barker 47);

a second network interface for delivering the series of content pages over the network to a plurality of players at the plurality of channels (Chap 19 | P.22 teaches controlling and coordinating the distribution of productions to one or more remote Player stations. Chap 19 | P.60-61 teaches that the Players reside at a cable headend at the plurality of channels. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7);

a scheduler for scheduling the broadcast of the series of content pages (Chap 18 teaches about scheduling the broadcast of content pages);

(iii) play, to the plurality of channels, the series of content pages (Chap 19 | P.60-61 teaches that the Players reside at a cable headend, where barker channels are used to display content. These productions are made up of multiple content pages that are controlled and run by scripts as taught in Chap 18 | P.7. Chap 19 | P.27 teaches the player will output video for a particular channel, that will be named Barker 47. *The production sequences controlled by the scripts are run {played} by the player and broadcasted by the headend to end user devices on a barker channel*);

the plurality of channels are operable to broadcast the series of content pages as a video signal (Chap 19 | P.60-61).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Rowe's system to include at least one second graphical user interface is operable to create a series of content pages, wherein the at least second graphical user interface is associated with at least one second user, wherein the at least one first and at least one second users are unaffiliated, and wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for the alert, and wherein the series of content pages comprises content to be played by the plurality of players to the plurality of channels for delivery to viewers; a second network interface for delivering the series of content pages over the network to a plurality of players at the plurality of channels; a scheduler for scheduling the broadcast of the series of content pages; the plurality of channels are operable to broadcast the series of content pages as a video signal, as taught by Scala, for the advantage of providing users with the ability to create productions with various effects that can flow like a professional video, whether they are a one person or large department (Scala - Chap 1 | P.8) and having the productions organized and scheduled to be played at the specified times providing the users with great control.

Rowe and Scala do not explicitly teach communication and transmission over the internet;

wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for the alert;

(i) fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages, fetched based upon the information for causing a query of the on-line content source, (ii) insert the alert into the series of content pages; and (iii) play, to the plurality of channels, the series of content pages, including the alert, and

Ludvig teaches (i) fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages (source download and transcoding server 216-Fig.2, external data source 106-Fig.1; Paragraph 0059 teaches download server 216-Fig.2 fetching updated content {content pages} from external data source {on-line content source}); (iii) play, to the of channel, including the alert (Paragraph 0049, 0052, 0080 teaches the transcoding server 216-Fig.2, transcodes the content into MPEG. For headend 102-Fig.1 Paragraph 0025, 0077 teaches the cable headend transmitting the transcoded content to the end users. Paragraph 0024 teaches the content can be weather, sports, new headlines {alerts});

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe and Scala to include (i) fetching is done automatically using at least one of the plurality of players, at the time of the scheduled broadcast of the series of content pages, (iii) play, to the of channel,

including the alert, as taught by Ludvig, for the advantage of providing to the user the most up to date important information without having to overload source servers from unicast requests, allowing all users to receive important information easily and efficiently.

Ludvig further teaches communication and transmission over the internet (Internet 104-Fig.1, Paragraph 0021, 0059 teaches communication between two devices via internet).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, and Ludvig to include, transmission over the internet, as further taught by Ludvig, for the advantage of robust communication and delivery over a thriving and widely used delivery system.

Rowe, Scala, and Ludvig teach at least one content page of the series of content pages (Scala - Chap 1 | P.8 teaches allowing a user to utilize a PC to create a production of content pages; Chap 5 | Figure on P.114; P.120: line 26 – P.123: line 15, Chap 2 | P.24, Chap 2 | P.43-44, Chap 12 | P.256-259, Chap 13 | P.268-270, P.272-273; Chap 3 | P.67-68 and Chap 18 | P.7 teaches multiple created content pages that are run together by a script), and an on-line content source containing alert information (Rowe - RCON 500 – Fig.1, 13c; Col 19: lines 45-56 and col 45: lines 44-46 teaches the creation of alerts. Col 10: lines 61-67 teaches forwarding the created presentations to RCONs that are further connected to headend devices) at least one of a plurality of players at the plurality of channels (Rowe - headends - Col 7: lines 3-6; Col 22: lines 12-14;

Ludvig – 216-Fig.2), but do not explicitly teach wherein at least one content page of the series of content pages comprises information for causing a query of the on-line content source for the alert;

(i) fetching based upon the information for causing a query of the online content source, (ii) insert the alert into the series of content pages.

In an analogous art Nurick teaches, wherein at least one content page comprises information for causing a query of the on-line content source for data; (i) fetching based upon information contained within the series of content pages and (ii) insert the data into the series of content pages (server 20 – Fig.1; Paragraph 0032, 0034, 0038, 0040, 0044 teaches web pages {content pages} that run on the server side that contain hypertext links to the source, enabling the web page to update itself automatically).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, and Ludvig to include wherein at least one content page comprises information for causing a query of the on-line content source for data; (i) fetching based upon information contained within the series of content pages and (ii) insert the data into the series of content pages, as taught by Nurick, for the advantage of providing an identified destination of a specific source where particular information can be found, simplifying and making the information retrieval process quicker and efficient, and readily presenting to the user organized pages containing desired information, allowing the user to easily read and acquire information.

Rowe, Scala, Levitan, Nurick do not teach (ii) insert the alert into the series content pages.

In an analogous art Plotnick teaches, (ii) insert the alert into the series content pages (Paragraph 0008, 0016, 0021, 0022).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Rowe, Scala, Ludvig, Nurick to include (ii) insert the alert into the series content pages, as taught by Plotnick, for the advantage of presenting to the user desired and urgent information in a organized format, allowing the user to easily view information at their disposal.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON K. LIN whose telephone number is (571)270-1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on (571)272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit: 2425

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